

FILED

FEB 20 2018

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

KAHLIL SHELTON

DERON HOWELL

OCTAVIO MARINELLO

Criminal No. 17-260

(21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(D); 18 U.S.C. §§ 1951, 924(c)(1)(A)(i), (ii), (iii), and 2)

[UNDER SEAL]

SUPERSEDING INDICTMENT

COUNT ONE

The grand jury charges:

From on or about August 4, 2017, to on or about August 7, 2017, in the Western District of Pennsylvania, the defendants, KAHLIL SHELTON and DERON HOWELL, did knowingly, intentionally and unlawfully conspire with persons both known and unknown to the grand jury, to possess with intent to distribute and distribute less than 50 kilograms of marijuana, a Schedule I controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

In violation of Title 21, United States Code, Section 846.

COUNT TWO

The grand jury further charges:

On or about August 7, 2017, in the Western District of Pennsylvania, the defendants, KAHLIL SHELTON and DERON HOWELL, did knowingly, intentionally and unlawfully possess with intent to distribute less than 50 kilograms of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

COUNT THREE

The grand jury further charges:

On or about August 7, 2017, in the Western District of Pennsylvania, the defendants, KAHLIL SHELTON and DERON HOWELL, did knowingly, intentionally, and unlawfully conspire with persons both known and unknown to the grand jury to unlawfully obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, in that the defendants, KAHLIL SHELTON and DERON HOWELL, did conspire to take and obtain the personal property of B.C. and O.M, that is, marijuana, against their will and by means of actual and threatened force, violence and fear of immediate and future injury.

In violation of Title 18, United States Code, Section 1951.

COUNT FOUR

The grand jury further charges:

On or about August 7, 2017, in the Western District of Pennsylvania, the defendants, KAHLIL SHELTON and DERON HOWELL, did unlawfully obstruct, delay and affect, and attempt to obstruct, delay, and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, in that the defendants, KAHLIL SHELTON and DERON HOWELL, did take and obtain the personal property of B.C. and O.M, that is, marijuana, against their will and by means of actual and threatened force, violence and fear of immediate and future injury.

In violation of Title 18, United States Code, Sections 1951 and 2.

COUNT FIVE

The grand jury further charges:

On or about August 7, 2017, in the Western District of Pennsylvania, the defendants, KAHLIL SHELTON and DERON HOWELL, knowingly did use, carry, brandish, and discharge a firearm, during and in relation to drug trafficking crimes and crimes of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to possess with intent to distribute and distribute less than 50 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 846, as charged in Count One of this Superseding Indictment; possession with intent to distribute less than 50 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D), as charged in Count Two of this Superseding Indictment; and conspiring to commit and committing crimes of violence, that is, Hobbs Act Robbery, in violation of Title 18, United States Code, Sections 1951 and 2, as charged in Counts Three and Four of this Superseding Indictment, and did knowingly and unlawfully possess, brandish, and discharge said firearm in furtherance of said crimes.

In violation of Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), (iii), and

2.

COUNT SIX

The grand jury further charges:

On or about August 7, 2017, in the Western District of Pennsylvania, the defendant, OCTAVIO MARINELLO, did knowingly, intentionally and unlawfully possess with intent to distribute less than 50 kilograms of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

COUNT SEVEN

The grand jury further charges:

On or about August 7, 2017, in the Western District of Pennsylvania, the defendant, OCTAVIO MARINELLO, knowingly did use and carry a firearm, that is, a Sturm-Ruger LCR .38 Caliber Revolver, bearing serial number 542-60904, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is possession with intent to distribute less than 50 kilograms of marijuana, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D) as charged at Count Six of this Superseding Indictment, and did possess said firearm in furtherance thereof.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT EIGHT

The grand jury further charges:

On or about July 27, 2017, in the Western District of Pennsylvania, the defendant, DERON HOWELL, did knowingly, intentionally, and unlawfully conspire with persons both known and unknown to the grand jury to unlawfully obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, in that the defendant, DERON HOWELL, did conspire with others to take and obtain the personal property of M.C., O.H., A.N., and D.T., individuals who had travelled from other states in interstate commerce with large sums of United States currency for purposes of participating in a gaming tournament; with said robbery occurring while these individuals were in transit; that is, DERON HOWELL and his co-conspirators did conspire to take and obtain money and personal property, against their will and by means of actual and threatened force, violence and fear of immediate and future injury.

In violation of Title 18, United States Code, Section 1951.

COUNT NINE

The grand jury further charges:

On or about July 27, 2017, in the Western District of Pennsylvania, the defendant, DERON HOWELL, did unlawfully obstruct, delay and affect, and attempt to obstruct, delay, and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in commerce, by robbery, in that the defendant, DERON HOWELL, did take and obtain the personal property of M.C., O.H., A.N., and D.T., individuals who had travelled from other states in interstate commerce with large sums of United States currency for purposes of participating in a gaming tournament; with said robbery occurring while these individuals were in transit; that is, DERON HOWELL and his co-conspirators did take and obtain money and personal property, against their will and by means of actual and threatened force, violence and fear of immediate and future injury.

In violation of Title 18, United States Code, Sections 1951 and 2.

COUNT TEN

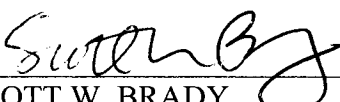
The grand jury further charges:

On or about July 27, 2017, in the Western District of Pennsylvania, the defendant, DERON HOWELL, knowingly did use, carry, and brandish a firearm during and in relation to crimes of violence for which he may be prosecuted in a court of the United States, that is, conspiring to commit and committing crimes of violence, that is, Hobbs Act Robbery, in violation of Title 18, United States Code, Sections 1951 and 2, as charged in Counts Eight and Nine of this Superseding Indictment, and did knowingly and unlawfully possess and brandish said firearm in furtherance of said crimes.

In violation of Title 18, United States Code, Sections 924(c)(1)(A)(i), (ii), and 2.

A True Bill,


Foreperson


SCOTT W. BRADY
United States Attorney
PA ID No. 88352